

E-FILED

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM LESTER JOHNSEN,

Defendant.

No. CR 07-00722 HRL

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT.

SAN JOSE VENUE

On May 8, 2008, the parties in the above-captioned case appeared before the Court for a status hearing. At that appearance, Assistant United States Attorney Susan Knight explained to the Court that the parties had been exchanging discovery and needed additional time to discuss a disposition of the case. Assistant Federal Public Defender Manuel Araujo further explained that he had obtained the defendant's medical records and needed time to review them. The Court then granted the parties' request that the case be continued to June 12, 2008 at 9:30 a.m. before the Honorable Judge Lloyd. In addition, Assistant United States Attorney Susan Knight requested an exclusion of time under the Speedy Trial Act from May 8, 2008 to June 12, 2008. The undersigned parties agree and stipulate that an exclusion of time is appropriate based on the

1 defendant's need for effective preparation of counsel.

2 SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

4 DATED: 5/9/08

3
/s/
SUSAN KNIGHT
Assistant United States Attorney

6 DATED: 5/9/08

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/s/
MANUEL ARAUJO
Assistant Federal Public Defender

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10 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
11 under the Speedy Trial Act from May 8, 2008 to June 12, 2008. The Court finds, based on the
12 aforementioned reasons, that the ends of justice served by granting the requested continuance
13 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
14 the requested continuance would deny defense counsel reasonable time necessary for effective
15 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
16 of justice. The Court therefore concludes that this exclusion of time should be made under 18
17 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

18 SO ORDERED.

19
20 DATED: 5/12/08

21 
PATRICIA V. TRUMBULL
United States Magistrate Judge